

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK

KIOBA PROCESSING LLC,

Plaintiff,

v.

TD BANK, N.A.,

Defendant.

Civil Action No. 1:21-cv-05862-VEC

ORDER

On this day, Plaintiff Kioba Processing LLC (“Kioba”) and Defendant TD Bank, N.A. (“TD Bank”) announced to the Court that they have resolved their respective claims for relief asserted in the above-entitled case. The Court, having considered this request, is of the opinion that their request for dismissal should be GRANTED.

IT IS THEREFORE ORDERED that any and all claims against TD Bank by Kioba in the above-entitled case are dismissed, **with prejudice** to the re-filing of the same.

IT IS FURTHER ORDERED that any and all claims against Kioba by TD Bank in the above-entitled case are dismissed, **without prejudice** to the re-filing of the same.

IT IS FURTHER ORDERED that all attorneys’ fees, costs of court and expenses shall be borne by each party incurring the same.

The Clerk of Court is respectfully directed to close this case.

SO ORDERED.

Date: September 20, 2021
New York, NY



VALERIE CAPRONI
U.S. District Court Judge